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Via E-filing

June 26, 2019

The Honorable John R. Tunheim
The Honorable Eric S. Tostrud
The Honorable Patrick J. Schiltz
The Honorable Michael J. Davis
United States District Court
300 South Fourth Street
Minneapolis, MN 55415

Re: *Cases related to United States of America v. Jerome Robert Hennessey*
Case No.: 0:18-cr-00304-JRT
Case No. 0:19-cv-1607
Case No. 0:19-cv-1576
Case No. 0:19-cv-1647
Our File Nos.: 7500-001, 7200-002 and 7500-003

Dear Honorable Judges:

In the interest the efficient administration of justice, I write to provide notice that the following cases, which were removed from Grant County District Court are all derived from the fraud of Jerome Robert Hennessey who is the criminal defendant in Case No. 0:18-cr000304-JRT and will share many common issues of fact and law:

- Erik A. Ahlgren, in his capacity as assignee in the assignment for the benefit of creditors of Ashby Farmers Co-Operative Elevator Company v. Capital One Bank (USA), et al. Case No. 0:19-cv-1607 (Judge Eric C. Tostrud)
- Erik A. Ahlgren, in his capacity as assignee in the assignment for the benefit of creditors of Ashby Farmers Co-Operative Elevator Company v. JP Morgan Case Bank, N.A., Case No. 0:19-cv-1576 (Judge Patrick J. Schiltz)
- Erik A. Ahlgren, his capacity as assignee in the assignment for the benefit of creditors of Ashby Farmers Co-Operative Elevator Company v. First National Bank of Omaha, Inc., et al, Case No. 0:19-cv-1647 (Judge Michael J. Davis)



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Mr. Hennessey was the general manager of the Ashby Framers Co-operative Elevator Company (the "Co-op"), and would write checks from the Co-op's bank account made payable to persons such as Defendants for, we allege, his personal gain. All three complaints ask for a return of the funds paid to the Defendants based on (i) actual fraud, Minn. Stat. §§513.44(a)(1) and 513.47, (ii) constructive fraud, Minn. Stat. §§ 513.45(a) and 513.47, and (iii) unjust enrichment.

The following related cases have already been assigned to Chief Judge Turheim: 0:19-cv-303, 305 and 306.

Given the similarities among the three cases, and to avoid divergent procedural and substantive determinations, it may be appropriate to have the cases heard through one judge.

Very truly yours,

MORRISON SUND PLLC

Matthew R. Burton

MRB/klf

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